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EXAMINER

WILLIS, JONATHAN U

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/580,557	Applicant(s) LIU, BENJAMIN	
	Examiner JONATHAN WILLIS	Art Unit 2441	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/14/2008</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Application 10/580,557 filed on 04/27/2007. Claims 1-39 are presented for examination.

Specification

2. The disclosure is objected to because of the following informalities:
3. Examiner found no mention of a "server identifier" or a "software device identifier" in the specification to support claims 2 and 7, and 3, 8, 12, and 19 respectively.
4. Examiner found no mention of multiple servers in the specification to support the "second server" in claims 13, 21, and 34.

Claim Objections

5. Claim 4, 9, 14, 22, 28-29, and 35 are objected to because of the following informalities: Examiner suggests changing "the input operation" to "the input/output operation." Appropriate correction is required.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-5, 11-17, and 32-39 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. While the claims recite a series of steps or acts to be performed, a statutory “process” under 35 U.S.C. 101 must (1) be tied to particular machine, or (2) transform underlying subject matter (such as an article or material) to a different state or thing. See page 10 of *In Re Bilski* 88 USPQ2d 1385. The instant claims are neither positively tied to a particular machine that accomplishes the claimed method steps nor transform underlying subject matter, and therefore do not qualify as a statutory process.

8. Claim 1 recites a method for a client, but does not disclose what hardware components perform the claimed functionalities. Claims 2-5 are rejected for being dependent upon claim 1.

9. Claim 11 claims a method for a server, but does not disclose what is comprised in the method. Claims 12-17 are rejected for being dependent upon claim 11.

10. Claim 32 claims a method for a system, but does not provide any use for the components of the system as claimed. For example “determining that an input/output operation related to a hardware device in a virtual machine of the client platform,” does not provide a hardware component to perform the determination. Claims 33-39 are rejected for being dependent upon claim 32.

11. Claim 6-10 and 18-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The specification defines machine-readable medium as “**electrical, optical, acoustical or other forms of propagated signals (e.g., carder waves, infrared signals, digital signals, etc.,**” in [0011] of the disclosure.

[0011] Embodiments of the invention may be implemented in hardware, firmware, software, or any combination thereof. Embodiments of the invention may also be implemented as instructions stored on a machine-readable medium, that may be read and executed by one or more processors. A machine-readable medium may include any mechanism for storing or transmitting information in a form readable by a machine (e.g., a computing device). For example, a machine-readable medium may include read only memory (ROM); random access memory (RAM); magnetic disk storage media; optical storage media; flash memory devices; electrical, optical, acoustical or other forms of propagated signals (e.g., carder waves, infrared signals, digital signals, etc.) and others.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. **Claims 1-3, 6-8, 11-12, and 18-19 and 32 are rejected under 35 U.S.C. 102(e) as being unpatentable by US 2006/0107269 A1 to Bantz et al. (hereinafter referred to as Bantz).**

14. In regard to claim 1, **Bantz** teaches a method for a client platform coupled to a server platform via a network (*see client coupled to server via network, in Fig. 1 [101] [104], e.g. "Mouse movements are tracked at the user's local machine and sent to the remote virtual machine via the network," in [0010] Lines 5-7*) comprising:

determining (*e.g. "recognized," in [0006] Line 3*) that an input/output operation (*e.g. "plugged in," in [0006] Lines 2-3*) related to a hardware device (*e.g. "devices local to the user to be "plugged in", recognized," in [0006] Lines 2-*

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3) happens in a virtual machine of the client platform (e.g. *“the device to be detected locally, the device driver to be located, downloaded, and installed to the virtual machine,”* in **[0006] Lines 6-8**); and

requesting the server platform via the network to handle the input/output operation related to the hardware device (see *sending and receiving via network*, in **Fig. 1**, e.g. *“sends that information to the virtual machine instance in server...The device information is used to...find out if support for that particular device exists on the server,”* in **[0027] Line 7 – [0028] Line 4**).

15. In regard to claim 2, **Bantz** teaches the method of claim 1, wherein the request (e.g. *“find out if support for that particular device exists on the server,”* in **[0028] Lines 3-4**), comprises a server identifier to identify the server platform (see *inherent identification of server platform in connection of client to the server*, in **Fig. 1 [101] [104]**).

16. In regard to claim 3, **Bantz** teaches the method of claim 1, wherein the request (e.g. *“find out if support for that particular device exists on the server,”* in **[0028] Lines 3-4**) comprises a software device identifier to identify a software device (e.g. *“gathers the information about the device such as the device model number and type, and sends that information to the virtual machine instance in server,”* in **[0027] Lines 5-8**) from a plurality of software devices (e.g. *“the device driver to be located,”* in **[0006] Line 7**) in the server platform to handle the input/output operation related to the hardware device (e.g. *“find out if support for*

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that particular device exists on the server...If not, the virtual machine instance in the server initiates the installation of a physical device driver in the server,” in [0028] Lines 3-6).

17. Claims 6-8 are corresponding machine readable storage medium claims of method claims 1-3; therefore, they are rejected under the same rational.

18. In regard to claim 11, **Bantz** teaches a method for a server platform coupled to a client platform via a network (*see client coupled to server via network, in Fig. 1 [101] [104]*),

receiving, from the client platform via the network, a request for an input/output operation related to a hardware device (*see sending and receiving via network, in Fig. 1, e.g. “sends that information to the virtual machine instance in server...The device information is used to...find out if support for that particular device exists on the server,” in [0027] Line 7 – [0028] Line 4*); and

identifying a software device (e.g. “downloaded, and installed to the virtual machine,” in [0006] Lines 6-8) from a plurality of software devices in the server platform to handle the request (e.g. “find out if support for that particular device exists on the server,” in [0027] Line 7 – [0028] Line 4), the identified software device (e.g. “downloaded, and installed to the virtual machine,” in [0006] Lines 6-8) corresponding to the hardware device related to the input/output operation (e.g. “the device to be detected locally, the device driver to be located, downloaded, and installed to the virtual machine,” in [0006] Lines 6-8).

19. In regard to claim 12, **Bantz** teaches the method of claim 11, wherein the request (e.g. *"find out if support for that particular device exists on the server,"* in **[0028] Lines 3-4**) comprises a software device identifier (e.g. *"gathers the information about the device such as the device model number and type, and sends that information to the virtual machine instance in server,"* in **[0027] Lines 5-8**) from a plurality of software devices (e.g. *"the device driver to be located,"* in **[0006] Line 7**) to identify the software device in the server platform device (e.g. *"find out if support for that particular device exists on the server...If not, the virtual machine instance in the server initiates the installation of a physical device driver in the server,"* in **[0028] Lines 3-6**).

20. Claims 18-19 are corresponding machine readable storage medium claims of method claims 11-12; therefore, they are rejected under the same rational.

21. Claim 32 recite limitations substantially the same as the limitations of claims 1 and 11; therefore, they are rejected under the same rational.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 4-5, 9-10, 14-17, 22-31 and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bantz in view of US 4,860,190 to Kaneda et al. (hereinafter referred to as Kaneda).

24. In regard to claim 4, **Bantz** teaches the method of claim 1, further comprising:

receiving a feedback for the input operation (e.g. *"the device to be detected locally,"* in **[0006] Lines 6-8**) from the server through the network (see *installation as feedback, e.g. "downloaded, and installed to the virtual machine,"* in **[0006] Lines 6-8**), but

Bantz does not teach the feedback comprising a virtual machine identifier to identify the virtual machine in the client platform that is executing the input operation; and sending the feedback to the virtual machine identified by the virtual machine identifier as claimed.

However, **Kaneda** teaches the feedback comprising a virtual machine identifier (e.g. *"receives the identification number,"* in **Col. 6, Line 1**) to identify the virtual machine in the client (e.g. *"computer system,"* in **Col. 1, Lines 63-65**) platform that is executing the input operation (e.g. *"computer system for controlling virtual machines, each machine given a different identification number,"* in **Col. 1, Lines 63-65**); and

sending the feedback to the virtual machine identified by the virtual machine identifier (e.g. *“to control the virtual machines and to decide which virtual machine will receive the control right of the CPU. The VM monitor assigns the identification numbers for the virtual machines,”* in **Col. 5, Lines 55-59**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to add the feature of virtual machine identification numbers as disclosed in **Kaneda** into the teachings of **Bantz** since both references are directed to virtual machine operating system environments, Hence, would be considered to be analogous based on their related fields of endeavor.

One would be motivated to do so in order to specify which virtual machine running on the client is to receive feedback, as it should be obvious to one of ordinary skill in the art to recognize that some sort of identification is necessary when transferring data in a network to a particular endpoint that has a plurality of equivalent environments for that endpoint.

25. In regard to claims 5 and 38-39, **Bantz** teaches the method of claims 1 and 32, and receiving instructions via the network (e.g. *“Mouse movements are tracked at the user's local machine and sent to the remote virtual machine via the network,”* in **[0010] Lines 5-7**), and a software device of the server platform (e.g. *“The device information is used to...find out if support for that particular device exists on the server,”* in **[0027] Line 7 – [0028] Line 4**), but

Bantz does not teach the method further comprising:

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receiving an interrupt instruction issued by a software device, the interrupt instruction comprising a virtual machine identifier to identify a virtual machine/another virtual machine to perform the interrupt instruction; and

Injecting the interrupt instruction into the virtual machine/another virtual machine identified by the virtual machine identifier

However, **Kaneda** teaches the method further comprising:

receiving an interrupt instruction (*e.g.* "if an interrupt request is in that port, an I/O interrupt for the VM monitor of the real machine will be generated," in **Col. 4, Lines 20-22**) issued by a software device (*e.g.* "I/O interruption queue," in **Col. 4, Line 19**), the interrupt instruction comprising a virtual machine identifier (*e.g.* "identification number," in **Col. 6, Line 1**) to identify a virtual machine/another virtual machine to perform the interrupt instruction (*e.g.* "By this handling routine...it is determined which virtual machine has issued the I/O instruction which caused the I/O interrupt," in **Col. 6, Lines 40-43**); and

Injecting the interrupt instruction (*e.g.* "By this handling routine," in **Col. 6, Line 40**) into the virtual machine/another virtual machine identified by the virtual machine identifier (*e.g.* "By this handling routine...it is determined which virtual machine has issued the I/O instruction which caused the I/O interrupt," in **Col. 6, Lines 40-43**) as claimed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to combine **Bantz** with **Kaneda** for reasoning set forth above in claim 4.

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26. Claims 9-10 are corresponding machine readable storage medium claims of method claims 4-5; therefore, they are rejected under the same rational.

27. In regard to claim 14, **Bantz** teaches the method of claim 11, further comprising:

obtaining a result (e.g. *"recognized,"* in **[0006] Line 3**) for the input operation (e.g. *"the device to be detected locally,"* in **[0006] Lines 6-8**) from the identified software device (e.g. *"downloaded, and installed to the virtual machine,"* in **[0006] Lines 6-8**);

constructing a feedback with the result (see *installation as feedback*, e.g. *"downloaded, and installed to the virtual machine,"* in **[0006] Lines 6-8**); and

sending the feedback (see *installation as feedback*, e.g. *"downloaded, and installed to the virtual machine,"* in **[0006] Lines 6-8**) from the server platform to the client platform through the network (see *communication from server to client through network*, in **Fig. 1**), but

Bantz does not teach a virtual machine identifier to identify a virtual machine in the client platform that is executing the input operation as claimed.

However, **Kaneda** teaches a virtual machine identifier (e.g. *"identification number,"* in **Col. 1, Lines 63**) to identify a virtual machine in the client (e.g. *"computer system,"* in **Col. 1, Lines 63-65**) platform that is executing the input operation (e.g. *"computer system for controlling virtual machines, each machine given a different identification number,"* in **Col. 1, Lines 63-65**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to combine **Bantz** with **Kaneda** for reasoning set forth above in claim 4.

28. In regard to claim 15, **Bantz-Kaneda** teaches the method of claim 14, wherein the feedback (*see installation as feedback, e.g. "downloaded, and installed to the virtual machine,"* **from Bantz in [0006] Lines 6-8**) further comprise a client platform identifier to identify the client platform that has sent the request (*see inherent client identifier to install the device driver on the virtual machine, e.g. "downloaded, and installed to the virtual machine,"* **from Bantz in [0006] Lines 6-8**).

29. In regard to claim 16, **Bantz** teaches the method of claim 11, and a software device (*e.g. "the device driver to be located,"* **in [0006] Line 7**) of the plurality of software devices in the server platform (*e.g. "The device information is used to...find out if support for that particular device exists on the server,"* **in [0027] Line 7 – [0028] Line 4**), but

Bantz does not teach the method further comprising:

issuing an interrupt instruction to the client platform through the network as claimed.

However, **Kaneda** teaches issuing an interrupt instruction to the client platform through the network instruction (*e.g. "if an interrupt request is in that*

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port, an I/O interrupt for the VM monitor of the real machine will be generated,” in Col. 4, Lines 20-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to combine **Bantz** with **Kaneda** for reasoning set forth above in claim 4.

30. In regard to claim 17, **Bantz** teaches the method of claim 11, but

Bantz does not teach wherein the interrupt instruction further comprises a virtual machine identifier to identify a virtual machine in the client platform to handle the interrupt.

However, **Kaneda** teaches wherein the interrupt instruction (e.g. “*an I/O interrupt,” in Col. 4, Lines 20-22*) further comprises a virtual machine identifier to identify a virtual machine in the client platform to handle the interrupt (e.g. “*By this handling routine...it is determined which virtual machine has issued the I/O instruction which caused the I/O interrupt,” in Col. 6, Lines 40-43*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to combine **Bantz** with **Kaneda** for reasoning set forth above in claim 4.

31. Claims 22-25 are corresponding machine readable storage medium claims of method claims 14-17; therefore, they are rejected under the same rational.

32. In regard to claim 26, **Bantz** teaches a system, comprising
- a client platform (see *client platform*, in **Fig. 1 [104]**) comprising:
 - determining (e.g. “*recognized*,” in **[0006] Line 3**) that an input/output operation related to a hardware device (e.g. “*plugged in*,” in **[0006] Lines 2-3**) happens in a virtual machine (e.g. “*the device to be detected locally, the device driver to be located, downloaded, and installed to the virtual machine*,” in **[0006] Lines 6-8**) and construct a request for the input/output operation (e.g. “*find out if support for that particular device exists on the server*,” in **[0028] Lines 3-4**);
 - a client network interface (see *inherent communication interface to communicate with server*, in **Fig. 1 [101] [104]**) to send the request through a network (see *sending and receiving via network*, in **Fig. 1**); and the server platform (see *server platform*, in **Fig. 1 [101]**) comprising:
 - a server network interface (see *inherent communication interface to communicate with client*, in **Fig. 1 [101] [104]**) to receive the request through the network (e.g. “*sends that information to the virtual machine instance in server...The device information is used to...find out if support for that particular device exists on the server*,” in **[0027] Line 7 – [0028] Line 4**);
 - a plurality of software devices (e.g. “*the device driver to be located*,” in **[0006] Line 7**);
 - a controller to identify a software device from the plurality of software devices (e.g. “*the device driver to be located*,” in **[0006] Line 7**) to handle the request (e.g. “*find out if support for that particular device exists on the server...If*

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not, the virtual machine instance in the server initiates the installation of a physical device driver in the server,” in [0028] Lines 3-6), the identified software device corresponding to the hardware device related to the input/output operation e.g. “the device to be detected locally, the device driver to be located, downloaded, and installed to the virtual machine,” in [0006] Lines 6-8), but

Bantz does not teach:

a plurality of virtual machines

a virtual machine monitor as claimed.

However, **Kaneda** teaches:

a plurality of virtual machines (e.g. “virtual machines each given a different identification number,” **from Abstract**)

a virtual machine monitor (e.g. “the VM monitor,” **from Abstract**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to combine **Bantz** with **Kaneda** for reasoning set forth above in claim 4.

33. In regard to claim 27, **Bantz-Kaneda** teaches the system of claim 26, wherein the request (e.g. “find out if support for that particular device exists on the server,” **from Bantz in [0028] Lines 3-4**) further comprises a software identifier to identifier the software device in the server platform (see *inherent identification of server platform in connection of client to the server, from Bantz in Fig. 1 [101] [104]*).

34. In regard to the system of claim 28, **Bantz-Kaneda** teaches wherein the identified software device in the server platform is further to obtain a result (e.g. *"recognized,"* **from Bantz in [0006] Line 3**) for the input operation (e.g. *"the device to be detected locally,"* **from Bantz in [0006] Lines 6-8**), and construct a feedback with the result (see *installation as feedback*, e.g. *"downloaded, and installed to the virtual machine,"* **from Bantz in [0006] Lines 6-8**) and a virtual machine identifier (e.g. *"identification number,"* **from Kaneda in Col. 1, Line 63**) to identify the virtual machine in the client platform (e.g. *"computer system,"* **in Col. 1, Lines 63-65**) under control from the controller (e.g. *"computer system for controlling virtual machines, each machine given a different identification number,"* **from Kaneda in Col. 1, Lines 63-65**), and the server network interface (see *inherent communication interface to communicate with client*, **from Bantz in Fig. 1 [101] [104]**) is further to send the feedback to the client platform through the network (see *server sending the device driver through the network to the virtual machine on client*, **in Fig. 1**, e.g. *"downloaded, and installed to the virtual machine,"* **from Bantz in [0006] Lines 6-8**).

35. In regard to claim 29, **Bantz-Kaneda** teaches the system of claim 26, wherein the client network interface (see *inherent communication interface to communicate with server*, **from Bantz in Fig. 1 [101] [104]**) is further to receive

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a feedback for the input operation from the server platform through the network (see *server sending the device driver through the network to the virtual machine on client*, in **Fig. 1**, e.g. “downloaded, and installed to the virtual machine,” from **Bantz in [0006] Lines 6-8**); and

the virtual machine monitor (e.g. “the VM monitor,” from **Kaneda in Abstract**) is further to identify the virtual machine in the client platform that is executing the input operation (e.g. “executes a program of the VM monitor...to transfer the control right of the CPU to one of the programs of the virtual machine regions...allocated for each virtual machine, so that one virtual machine may be operated,” from **Kaneda in Col. 3, Lines 50-54**) based upon the feedback and send the feedback to the identified virtual machine (see *installation as feedback*, e.g. “downloaded, and installed to the virtual machine,” from **Bantz in [0006] Lines 6-8**).

36. In regard to claim 30, Bantz-**Kaneda** teaches the system of claim 26, wherein

a software device (e.g. “the device driver to be located,” from **Bantz in [0006] Line 7**) in the server platform (e.g. “The device information is used to...find out if support for that particular device exists on the server,” from **Bantz in [0027] Line 7 – [0028] Line 4**) is to issue an interrupt instruction under control from the controller (e.g. “if an interrupt request is in that port, an I/O interrupt for the VM monitor of the real machine will be generated,” from **Kaneda in Col. 4, Lines 20-22**), the interrupt instruction including a virtual machine identifier to

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identify another virtual machine in the client platform to handle the interrupt instruction (e.g. *“By this handling routine...it is determined which virtual machine has issued the I/O instruction which caused the I/O interrupt,”* **from Kaneda in Col. 6, Lines 40-43**); and

the server network interface (see *inherent communication interface to communicate with client*, **from Bantz in Fig. 1 [101] [104]**) is further to send the interrupt instruction (e.g. *“I/O interrupt”* **from Kaneda in Col. 4, Lines 20-21**) to the client platform through the network (see *connection from server to client*, **from Bantz in Fig. 1 [101] [104]**).

37. In regard to claim 31, **Bantz-Kaneda** teaches the system of claim 30, wherein

the client network interface see *inherent communication interface to communicate with server*, **from Bantz in Fig. 1 [101] [104]**) is further to receive the interrupt instruction (see *connection from server to client*, **from Bantz in Fig. 1 [101] [104]**); and

the virtual machine monitor (e.g. *“the VM monitor,”* **from Kaneda in Abstract**) is further to identify the another virtual machine (e.g. *“By this handling routine...it is determined which virtual machine has issued the I/O instruction which caused the I/O interrupt,”* **from Kaneda in Col. 6, Lines 40-43**) from the plurality of virtual machines (e.g. *“virtual machines each given a different identification number,”* **from Kaneda in Abstract**) based upon the interrupt instruction and inject (e.g. *“By this handling routine,”* in Col. 6, Line 40) the

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interrupt into the identified another virtual machine (e.g. *“By this handling routine...it is determined which virtual machine has issued the I/O instruction which caused the I/O interrupt,”* **from Kaneda in Col. 6, Lines 40-43**).

38. Claims 35-37 recite claims that contain substantially the same limitations of claims 14-16; therefore, they are rejected under the same rational.

39. **Claim 13, 20-21, and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bantz in view of US 2005/0198303 A1 to Knauerhase et al (hereinafter referred to as Knauer).**

40. In regard to claim 13, **Bantz** teaches the method of claim 11, further comprising

receiving the request for the input/output operation with a first server (of the server platform (e.g. *“find out if support for that particular device exists on the server,”* **in [0028] Lines 3-4**), but

Bantz does not teach determining whether the identified software device is in a second server of the server platform; and

sending the request from the first server to the second server via the network, in response to determining that the identified software device is in the second server as claimed.

However, **Knauer** teaches determining whether the identified software device (e.g. *“service from the virtual machine,”* **from Abstract**) is in a second server (see *plurality of servers hosting virtual machines*, **in Fig. 1 [125]**, e.g. *“server is coupled to carious other servers in server farm,”* **in [0020] Lines 1-2**) of the server platform (e.g. *“the server determines if a virtual machine already exists that offers the service,”* **in Abstract**); and

sending the request from the first server to the second server via the network (e.g. *“see servers coupled together through network,”* **in Fig. 1**), in response to determining that the identified software device is in the second server (e.g. *“the server determines if the requested service may be offered...the server switches, based on whether the requested service may be offered,”* **in [0047] Lines 11-14**).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the current invention to add the feature of determining an additional server to obtain a service for handling a request as disclosed in **Knauer**, into the teachings of **Bantz**, since both references are directed to providing services to virtual machine operating system environments, hence, would be considered to be analogous based on their related fields of endeavor.

One would have been motivated to do so to add the additional benefit of having a backup server in case a primary server did not have the required software or was unable to fulfill a request in a desired way.

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41. Claims 20-21 are corresponding machine readable storage medium claims of method claim 13; therefore, they are rejected under the same rational.

42. Claims 33-34 recite claims that contain substantially the same limitations of claim 13; therefore, they are rejected under the same rational.

Conclusion

43. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,996,026 to Onodera et al.

US 6,418,464 B1 to Minow

US 2003/0090704 A1 to Hansen

US 2005/0076324 A1 to Lowell et al.

44. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN WILLIS whose telephone number is (571)270-7467. The examiner can normally be reached on 8:00 A.M. - 6:00 P.M. .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on (571)272-4170. The

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fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/JONATHAN WILLIS/
Examiner, Art Unit 2441

/Quang N. Nguyen/
Primary Examiner, Art Unit 2441